

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 15th day of March, A. D. 1875.

CHAPTER CLIX.

AN ACT IN RELATION TO CHANGING GAUGE OF RAILROADS.

WHEREAS, By acts of the General Assembly of North Carolina, both the Atlantic and North Carolina Railroad and Western North Carolina Railroad were compelled to adopt the gauge of the North Carolina Railroad, four feet eight and one-half inches; *and whereas*, any change of the gauge of said North Carolina Railroad would seriously injure the two railroads before mentioned, as well as all other railroads of the same gauge connecting with them; *and whereas*, four feet eight and one-half inches has been adopted generally as the North Carolina gauge; therefore,

SECTION 1. *The General Assembly of North Carolina do enact*, That no railroad now in this State with the gauge of four feet eight and one-half inches shall change the same, and all railroads hereafter constructed in this State shall have the same gauge, four feet eight and one-half inches.

Change of gauge
forb idden.

SEC. 2. The penalty for constructing or changing the gauge of any railroad, contrary to the provisions of the preceding section, shall be fifty dollars per day per mile for every day such railroad is in use, and in addition thereto the president and directors, secretary and treasurer, or any officer, servant or employee, shall be guilty of a misdemeanor, and shall be fined not less than five hundred dollars nor more than one thousand dollars, and imprisoned not less than three nor more than six months; and it shall be the duty of the Governor of this State to cause to be instituted immediate proceedings for the recovery of such penalty and the

Penalty.